

DOC NO
REC'D/FILEDUnited States District Court
Western District of Wisconsin

FEB 18 AM 11:51

MS. Roy Mitchell

(Full name of plaintiff[s])

#309907

(Prisoner I.D. Number)

Case No.

15 C 108

(Provided by clerk of court)

Plaintiff(s),

V.

State of Wisconsin Dept. of Corr.
 Secretary Edward F. Wall in his Individual and Official Capacity
 Secretary Gary Hamblin in his Individual and Official Capacity
 State of Wisconsin Dept. of Corrections Mental Health Director Kevin Kallas, MD in his Individual and Official Capacity
 Department of Community Corrections Agent's Joseph Ruhnke and Brittany Wolfe in Individual and Official Capacities
 Department of Corrections Community Supervisor Ms. Nicole Raisbeck in her Individual and Official Capacity.

Defendant(s).

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

I. PLACE OF PRESENT CONFINEMENT (Provide full address)

A. Is there a grievance procedure in your prison/jail? YES ☒ NO ☐B. Have you filed a grievance concerning the facts relating to this complaint?
YES ☒ NO ☐

C. If you have used the grievance process:

1. Describe what you did and the result, if any.

I've Filed Numerous grievance complaints and they've been
 Very Ill mannered, Non-Chalant/Dismissed

2. Is the grievance process completed?

Yes Exhausted All
 Available Remedies Dating Back into year of 2012 the Department
 of Corrections Administrative Records would set forth and Attached Exhibits

D. If you did not use the grievance process, explain why not

4/07

P:\Forms\42USC1983.Complaint

II. PARTIES

A. Your name (Plaintiff) Ms. Roy Mitchell

B. Prisoner I.D. Number 309907

C. Your address Homeless forced to live in very Hostile MALE
 Both Whitaker has so set (For additional plaintiffs provide the same information in the same format on a
 Forth in June 27 2013. separate page.)
 order so set's Forth in unstable, and in contrary to my rehabilitation, safety and stability as a Female-presenting
 Transgendered Person.
 D. DEFENDANT (name) State of Wisconsin Department of Corrections
 Secretaries Gary Hamblin and Edward F. Wall in their Individual and Official
 capacities, is employed as Department of Corrections previous and Current Secretaries
 at State of Wisconsin Department of Corrections

E. Additional DEFENDANTS (names and positions): State of Wisconsin Department of
Corrections Mental Health Directors Dr. Kevin Kallas M.D
State of Wisconsin Department of Community Corrections Supervisor
Ms. Nicole Raisbeck, State of Wisconsin Department of Community
Corrections Agent's Joseph Ruhnke and Brittany Wolfe, in their
Individual and Official capacities. State of Wisconsin Department
of Corrections psychological Services Supervisor Dr. Dawn
Laurant in her Individual and Official Capacity

III. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same facts involved in this action? YES ☐ NO ☒

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ☒ NO ☐

C. If your answer is YES to either of the above questions, provide the following requested information.

1. Parties to the previous lawsuit

Plaintiff(s): MS. Roy Mitchell

Defendant(s): PAT Price et AL,

2. Date filed year 2011

3. Court where case filed (if federal court, name district; if state court, name the

United States District Court for
county) Western District of Wisconsin

4. Case number and citation 11-CV-260-WMC
5. Basic claim made Violation's of Constitutional Rights
6. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending?) pending in Advisement of Court in preparations for Trial
7. If resolved, date of disposition _____
8. If resolved, state whether for _____
(Plaintiff or Defendant)

(For additional cases, provide the above information in the same format on a separate page.)

IV. STATEMENT OF CLAIM

- A. State as briefly as possible the facts of your case. Describe how each named defendant is involved. Include the names of other persons involved, dates, and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

on November 1, 2012 Complainant Ms. Roy Mitchell After her Exhaustions of the inmate grievance complaint procedure mailed State of Wisconsin Dept of Corrections then Secretary Mr. Gary Hamblin a correspondence (Please see Attached Exhibit's) requesting may he please Adequately Look into the important matter of her receiving the Adequately treatment for her Serious medical Condition of Gender Identity Disorder, as so Highly recommended by Forensic and Human Services Specialist mrs. Cynthia Osborne unto Department of Corrections (Please see Exhibit "K") in reference unto Department of Corrections G.I.D policy (please see Exhibit "B")

on November 29, 2012 (please see Attached Exhibit "T") Complainant Mrs. Mitchell
(Statement of Claim continues on next page please and thank you)

STATEMENT OF CLAIM continued

Via U.S. postage mail sent Correspondance unto Department of Corrections then Secretary Mr. Edward F. Wall crying out for Assistance and implementation of very needed treatments for her serious medical condition of Gender Identity Disorder (please see Attached Exhibit "T") in reference unto her Numerous filed Complaints unto the Department and in reference unto Department's G.I.D. Policy (may you please see Attached Exhibit "B" and Exhibit "J") on February 22, 2012, again on November 28, 2012 (Please see Attached Exhibit "E" and Exhibit "J" (Exhibit "K") and in reference unto Dept. of Corrections G.I.D. Policy (See Exhibit "B") Complainant, Cried out unto Defendant Department of Corrections Mental Health Director Dr. Kevin Kallas, for implementation of Adequate Treatments for her serious medical condition Diagnosis of Gender Identity Disorder in which Dr. Kallas is very formulaic with in reference unto previous Litigation before this Court of such a serious medical condition please

Statement of Claim continues

(see Attached Exhibit "D") in which complainant has not adequately, received no forms of Adequately implementative Treatments from the Department of Corrections and in fact was prevented from seeking out on her own by Named Defendant's Department of Community Corrections Agents Joseph Rubake and partner Brittany Wolfe the record before this Court would so reflect even After Knowing of the Hardship Complainant suffers from not Adequately receipt of the very needed treatmental imp-

(Statement of Claim continues on Next page please and Thankyou)

STATEMENT OF CLAIM continued

Implementations, of such Vital Treatment's. upon Complainant's release of 1-8-2013 psychologist supervisor failed to follow up with Department of Community Corrections Assigned Agent of Complainant toward Assurance that complainant was Allowed to receive very needed treatment's for G.F.D. in reference unto Attached (Exhibit's "B" and "K") during course of complainant's Community Supervision even After being Numerously Notified Defendant Mrs. Rakish, in reference unto (Exhibit B) inform Defendant's Ruhnke and Wolfe under her then Supervision to Allow Complainant to receive Adequate Treatment's for her G.F.D. Diagnosis, on 12-12-2012 (See Exhibit's DD page 34) Exhibit "G" "F" "C") upon request of community corrections Agent Ruhnke Complainant released her entire medical, mental Health All Records unto Agent Ruhnke for review on 1-8-2013 upon Complainant Release Complainant was forced to sign Rules that she will present as and Dress as a male see (Exhibit "I" page 2 number 22) Complainant was informed that she may not seek out Treatment for her G.F.D. see (Exhibit DD page 34, 32, 27; (Entire Exhibit's pages and out lines so set's forth) and these immoral orders were so set forth by then Community Supervision Agent's Both Joseph Ruhnke and Brittny Wolfe (Exhibit DD out lines so set's forth).

B. State briefly your legal theory or cite appropriate authority.

Complainant ASK this Court to please see (Exhibit D) in which the court has Already so set forth in *Fields v. Smith*, 712 F. Supp. 2d 830 (2010) that the Department of Corrections as so Defined by our Nations Governing Constitution Deliberately and Differently, Deprive inmates whom suffer from a serious medical condition of Gender Identity Disorder from implementations of Adequate Treatment's for this serious medical Diagnosis. Also Complainant ASK this Court to see Attached Exhibit's "F" "H" "P" and Department of corrections very own policy for G.F.D. inmates Exhibit "B" in which as so set forth in Attached Exhibit's "H" and "F" in which the State of Wisconsin Division of Hearing and Appeals Administrative law Judge or Mrs. Beth Whitaker Dated June 27, 2013 and Judge Mrs. Cynthia L. Stoppel has so set forth that such Deliberate Indifference by the Department unto complainant is in total Disregard unto complainant's Stability and Rehabilitation and yet to date, Complainant continues to receive the fears non-chalance and inadequate Assistance toward receipt of very much needed treatment Assistance From Department

V. RELIEF YOU REQUEST

State briefly and exactly what you want the court to do for you. Make no legal arguments. Do not use this space to state the facts of your claim. Use it only to request remedies for the injuries you complain about.

Due unto the very ill-willed, Deliberately
Indifferently treatment's Complainant is enduring from Department of
 Community Corrections in which is very Detrimental unto Complainant
 well being even After Administrative Law Judge Mrs. Beth Whitaker has
 do set forth unto Department of Corrections please see Exhibit's 'F' and 'P'
 Complainant receive's no forms of Adequate implementation treatments
 and/or Assistance from Department has been forced to live in a males Home-
 less Shelters in which is not a stable, safe or Comfort to a female presenting
 transgendered person in which I'm deal with a great deal of Adversity
 in such a males Dominated Environment in which is causing me a great
 deal of Depression, Turmoil and Anxiety plaintiff Requests this Court for
 Temporary Restraining order to be placed under Supervision of Senior
 Circuit Court Judge and/or Court Commissioners, while Suit is
 being held before this court on its merits as set forth and also
 Due unto the plaintiff fear of Co-Conspired retaliation from named
 Defendants and Colleagues of named Defendants within Departm-
 ent of Corrections Community Supervisions office located at
 5706 Odona Road Madison, Wisconsin 53719 plaintiff is suffering
 a great deal of Distress, Emotional Turmoil, for lack of treatment for her
 G.I.D Disorder and her Already Diagnosis of Chronic Post Traumatic Str-
 ess Disorder the record would reflect and plaintiff so seeks monetary
 Damages of the sum of \$2,220,000 for her physical emotional and mental
 Abuses and immoral unconstitutional infliction by named Defendants
 I declare under penalty of perjury that the foregoing is true
 and correct.

Complaint signed this 18 day of February, 2015.

Signature of plaintiff

Mrs. Kay Mitchell

Address: Homeless forced to reside

at males Homeless Shelters plaintiff

Complaint Under the Civil Rights Act

may be reached and Courts orders in Reference unto this Action may be mailed
 in care of plaintiff's mother Emma Mims 2221 Carling Drive #2
 Madison, Wisconsin 53712 Please Note Plaintiff will Responsibility Follow up with court